



Attorney Docket No. 13466-002011

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:)
Applicant: Thomas G. Woolston)
Application No. 09/557,617) Group Art Unit: 3624
Examiner: Charles Kyle)
Filing Date: April 25, 2000)
Title: Facilitating Payment for)
Electronic Commerce)
Transactions)

**PETITION OBJECTING TO IMPROPER THIRD-PARTY PARTICIPATION IN
EXAMINATION OF PENDING APPLICATION BY EBAY, INC, AND REQUESTING
THAT THE OFFICE EXPUNGE IMPROPER THIRD-PARTY FILING OF EBAY, INC.**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On April 22, 2005, adjudicated willful infringer eBay, Inc. ("eBay"), filed documents in every pending patent application assigned to and owned by MercExchange, LLC ("MercExchange" or the "Patent Owner"), consisting of more than 53 pages of adversarial argument. In these filings, eBay asked that the United States Patent and Trademark Office ("the Office") "take notice" of eBay's broadside of contentions with respect to the validity of the

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

06/23/2005 DENMANU1 00000043 061050 09557617
01 FC:1464 130.00 DA

Adjustment date: 09/14/2005 AKELLEY
06/23/2005 DENMANU1 00000043 061050 09557617
01 FC:1464 130.00 CR
09/14/2005 AKELLEY 00000008 061050 09557617
01 FC:1463 200.00 DA

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 20, 2005
Date of Deposit
Signature *Nancy Grant*
Typed or Printed Name of Person Signing Certificate
Nancy Grant